

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BARBARA STUART ROBINSON,

Plaintiff,

v.

CLISE PROPERTIES INC.,

Defendant.

CASE NO. C24-0397-JCC

ORDER

This matter comes before the Court on Plaintiff's amended complaint (Dkt. No. 8), which Plaintiff filed in response to an order to show cause (Dkt. No. 7). In that order, the Court described the pleading infirmities contained in Plaintiff's complaint, including inadequate allegations to support this Court's jurisdiction and a failure to identify any state action for purposes of Plaintiff's constitutional claims. (*See id.* at 1–2.) The order further indicated that, if Plaintiff could not cure those infirmities, the Court would dismiss the case. (*Id.* at 2.)

The Court has reviewed Plaintiff's amended complaint (Dkt. No. 8). Even applying the Ninth Circuit's directive to construe *pro se* complaints liberally, the Court cannot find that Plaintiff has stated a claim upon which relief can be granted. *See Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010). Although Plaintiff indicates "federal question" as the basis for this Court's subject matter jurisdiction, (*see* Dkt. No. 8 at 1), she fails to identify any state action for purposes of her single federal claim under 42 U.S.C. § 1983. *See Roberts v. AT&T Mobility LLC*, 877 F.3d

833, 837 (9th Cir. 2017) (“A threshold requirement of any constitutional claim is the presence of state action.”). Instead, her sole named defendant, Clise Properties Inc., is a private actor, and Plaintiff’s remaining claims are all based on state law. (*See generally* Dkt. No. 8.)

For these reasons, and pursuant to 28 U.S.C. § 1915(e)(2), Plaintiff’s federal claims (Dkt. No. 8) are DISMISSED with prejudice. Her state claims are DISMISSED without prejudice.

DATED this 22nd day of April 2024.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE